



Case 1:07-cv-07441-HB

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U.S. Department of Justice

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United States Attorney
Southern District of New York86 Chambers Street, 3rd Floor
New York, New York 10007

November 20, 2007

BY HAND

The Honorable Harold Baer
United States District Judge
United States Courthouse
500 Pearl Street, Room 2230
New York, NY 10007

Nov 21 2007

Re: *Klenikov v. Mukasey et al.*, No. 07 Civ. 7441 (HB)

Dear Judge Baer:

This Office represents the defendants, Michael B. Mukasey, Attorney General of the United States; Michael Chertoff, Secretary of the Department of Homeland Security ("DHS"); Emilio Gonzalez, Director of the United States Citizenship and Immigration Services ("USCIS"); Paul Novak, Director of Vermont Service Center; Robert Mueller, Director of the Federal Bureau of Investigation ("FBI"); Michael Hayden, Director of the Central Intelligence Agency ("CIA"); Andrea Quarantillo, Director, New York, USCIS; the DHS; the USCIS; the FBI; and the CIA (collectively, the "Government"), in the above-referenced case.¹ Plaintiffs seek to compel the Government to adjudicate their applications for adjustment of their immigration status to become permanent legal residents.

The Government requests a 30-day extension of time to answer the complaint. Within that period of time, the Government anticipates that plaintiffs will be granted the relief they seek, viz. adjudication of their adjustment applications. On October 24, 2007, USCIS requested medical information from the plaintiffs regarding tuberculosis skin testing. Plaintiffs were given 30 days to respond. Once this information is received, USCIS will be able to adjudicate plaintiffs' applications for permanent residence. The Government's answer or other responsive pleading is currently due on November 26, 2007. The Government requests a 30-day extension of time -- until December 26, 2007 -- to answer or otherwise respond to the complaint.

This is the Government's second request for an extension. On October 22, 2007, the Court granted the Government an initial 30-day extension to answer the complaint. Plaintiffs' counsel consents to this request.

¹ Pursuant Rule 25(d)(1) of the Federal Rules of Civil Procedure, Attorney General Michael B. Mukasey has been substituted for former Attorney General Alberto Gonzales.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:


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*copy to 12/26/07
to Michael Grunfeld am
Consent.
SO ORDERED:
Harold Baer, Jr., U.S.D.J.
11/27/07*